

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

MANUEL QUIROZ, JR.,

Plaintiff,

v.

JEFFREY A. DICKERSON.,

Defendant.

3:10-cv-0657-LRH-RAM

ORDER

Before the court is Plaintiff Manuel Quiroz, Jr.'s Request for Ruling and/or Hearing on Ex Parte Motion for Writ of Attachment (doc. #64).¹ Defendant Dickerson has responded (doc. #65), Plaintiff Quiroz has filed a reply (doc. #66), and Plaintiff's Request has been brought to the attention of this court.

The history of this action is that it was filed in the United States District Court for the Northern District of California, San Jose Division, by Plaintiff on June 1, 2010. On June 28, 2010, Defendant Dickerson moved to dismiss or, in the alternative, to transfer this action to the District of Nevada (doc. #5). Plaintiff thereafter opposed. On July 26, 2010, Plaintiff filed a Motion for Issuance of Writ of Attachment (doc. #19) and Defendant Dickerson thereafter opposed. However, on September 16, 2010, the California court, through Magistrate Judge Trumbull, granted

¹ Refers to the court's docket number.

1 Dickerson's motion to transfer the case to the District of Nevada. Significantly, Magistrate Judge
2 Trumbull concluded her order with the statement that "any pending motions shall be terminated
3 without prejudice to any renewed motions to be filed in the new district." No renewed motion for
4 writ of attachment has been filed before this court and nothing was brought to this court's attention
5 to suggest that Plaintiff Quiroz may have been mistaken concerning the pendency of his original
6 motion for writ of attachment until his recent Request for Ruling (doc. #64) was filed.

7 A renewed motion for attachment will be considered by this court upon filing of same by
8 Plaintiff Quiroz. Furthermore, this court will consider such a motion based on the original
9 pleadings filed in this matter if Plaintiff Quiroz files a renewed motion simply indicating that he
10 adopts and incorporates his previous motion for writ of attachment filed on July 26, 2010 (doc.
11 #19). Defendant Dickerson shall have 14 days to respond to any such motion, and plaintiff shall
12 have 7 days in which to file a reply. The matter will then stand submitted before the court. A
13 hearing may or may not be held upon such motion as may be further ordered by this court.

14 IT IS SO ORDERED.

15 DATED this 24th day of March, 2011.



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17 LARRY R. HICKS
18 UNITED STATES DISTRICT JUDGE
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